

1 [counsel listed on signature page]

2 UNITED STATES DISTRICT COURT

3 DISTRICT OF NEVADA

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5 JPMORGAN CHASE BANK, N.A.,

6 Plaintiff,

7 v.

8 KB HOME, *et al.*,

9 Defendants.

2:08-CV-01711-PMP-RJJ
BASE FILE

**STIPULATED CONSENT TO
JPMORGAN'S REQUEST FOR
STAY [ECF# 383] AND
[PROPOSED] ORDER STAYING
CASE**

Related Cases:

2:08-CV-01709-PMP-RJJ
2:08-CV-01713-PMP-RJJ
2:08-CV-01714-PMP-RJJ
2:08-CV-01715-PMP-RJJ
2:08-CV-01716-PMP-RJJ
2:08-CV-01717-PMP-RJJ

2:09-CV-01154-PMP-RJJ
2:09-CV-01547-PMP-RJJ
2:09-CV-01548-PMP-RJJ
2:09-CV-01549-PMP-RJJ
2:09-CV-01550-PMP-RJJ
2:09-CV-01551-PMP-RJJ
2:09-CV-01552-PMP-RJJ

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11 Relates To:

12 All Actions

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14 Pursuant to Local Rule 7-1, plaintiff JPMorgan Chase Bank, N.A. ("JPMorgan") and

15 defendants Meritage Homes of Nevada, Inc., Meritage Homes Corp., Coleman-Toll Limited

16 Partnership, Toll Brothers, Inc., KB Home, KB Home of Nevada, Inc., Pardee Homes of Nevada,

17 Weyerhaeuser Real Estate Company, Beazer Homes Holding Corp., Beazer Homes USA, Inc., John

18 Ritter, and Focus South Group LLC (collectively, the "Defendants"), by and through their

19 undersigned attorneys, stipulate as follows:

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1 1. On December 9, 2010, an involuntary Chapter 11 bankruptcy petition (the
 2 “Bankruptcy Petition”) was filed against the Debtor by petitioning creditors JPMorgan Chase Bank,
 3 N.A., Credit Agricole Corporate and Investment Bank, and Wells Fargo Bank, N.A. pursuant to
 4 Section 303 of Title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “Bankruptcy Code”),
 5 in the United States Bankruptcy Court for the District of Nevada, 300 Las Vegas Boulevard South,
 6 Las Vegas, Nevada, 89101.

7 2. On December 10, 2010, JPMorgan filed a Notice of Automatic Stay (ECF# 388) and a
 8 Motion for Discretionary Stay (ECF# 389).

9 3. Counsel for the parties in this case conferred by telephone between December 10,
 10 2010 and December 16, 2010 regarding JPMorgan’s Notice of Automatic Stay and Motion for
 11 Discretionary Stay.

12 4. Except as stated in paragraph 6, below, the parties have agreed that the captioned
 13 action should be stayed until February 7, 2011 or until such time as the Bankruptcy Court has
 14 determined whether to enter an order for relief on the Bankruptcy Petition (the “Bankruptcy Ruling”).

15 5. Defendants reserve their right to respond to JPMorgan’s Notice of Automatic Stay and
 16 Motion for Discretionary Stay within ten (10) calendar days after the Bankruptcy Ruling without any
 17 prejudice from this stipulation.

18 6. Notwithstanding the foregoing, JPMorgan shall remain obligated to comply with this
 19 Court’s November 15, 2010 Order (ECF# 372) as well as the prior orders related thereto regarding
 20 Lender Discovery.

21 Dated: December 21, 2010

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PURSUANT TO THE FOREGOING STIPULATION, IT IS SO
ORDERED:

By: 
PHILIP M. PRO, U.S. DISTRICT JUDGE

Dated: December 22, 2010. _____